

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

ROGER TANNER,

Plaintiff,

v.

**DONALD OGDEN and
WILLIAM MURRAY,
Defendants.**

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**DOCKET NO. 3:13-cv-0042
JURY DEMAND**


DECLARATION OF JOE NAPILTONIA

STATE OF TENNESSEE)
COUNTY OF WILLIAMSON)

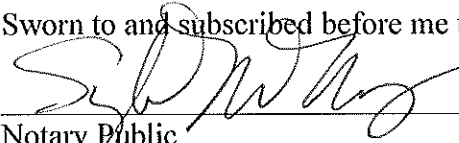
Joe Napiltonia, being first duly sworn according to law, makes oath as follows:

1. I am of majority age and otherwise competent to execute this affidavit based upon my personal knowledge.
2. I represent the plaintiff, Roger Tanner in the above-styled case. My BPR Number is 026881. I have always been and I currently remain in good standing in the legal community to practice law in the State of Tennessee.
3. On March 4, 2013, an initial case management conference was set in the above-styled case.
4. My office inadvertently failed to calendar and provide notice to the Defendants of the initial case management conference set for March 4, 2013.
5. I have never failed to provide notice to a defendant, nor have I failed to appear for an initial case management conference prior to March 4, 2013.

FURTHER AFFIANT SAYETH NOT.


Joe Napiltonia, BPR No. 026881

Sworn to and subscribed before me this 6th day of March 2013.


Notary Public

My Commission Expires:

1/30/14

